

TO: Mayor and Board of Trustees
FROM: Village Administrator Steve Stricker and Staff
SUBJECT: Regular Meeting of February 14, 2011
DATE: February 11, 2011

PLEDGE OF ALLEGIANCE

Hiba Anees, Anne M. Jeans Elementary School

6. ORDINANCES

A. Annex Certain Property (Surrounded Territory)

At the Board's direction, Mayor Grasso and staff have been working with the property owner on an Annexation Agreement for the SAIA truck terminal property at 15W460 North Frontage Road. While we are in general agreement regarding the sound wall and related matters, we are not in agreement regarding zoning. At this time it appears that the resident owner and his attorney are insisting on zoning that would allow the truck terminal to remain in perpetuity rather than establishing a sunset clause for the truck terminal operation to cease. Mayor Grasso and staff do not believe that this is in the best interest of the Village. Therefore, it seems that we are at an impasse in our negotiations.

If so desired, the Board may proceed with the Village initiated annexation which would preclude an Annexation Agreement. After discussing this matter with Village Attorney Terry Barnicle, due to the significant time that has passed since the legal notice for the public hearing was published, it is recommended that the Village re-publish the legal notice for the annexation. This would require that the Board table the Ordinance to the March 14, 2011 meeting. Staff would re-publish the legal notice and if deemed appropriate at that time, the Village Board could annex the property on March 14, 2011.

Board direction is requested.

B. Amendment to Building Ordinance Regarding Performance Bonds

Attached is an amendment to the Building Ordinance regarding performance bonds submitted with building permits. The Building Ordinance requires that a \$5,000 performance bond be submitted for construction of a new home or addition or for a commercial building or addition. The purpose of the bond is to guarantee that the builder will complete the work, pay any additional fees, and to repair any damage to public property. The bond is returned to the builder when all fees are paid and all work is completed and inspected. Oftentimes, a Certificate of Occupancy is issued once minimum life safety codes have been met but the bond is held pending approval of final inspections for grading or landscaping or for submittal of as-built plans. It is the responsibility of the

builder to complete these items and make a request for release of the bond.

The proposed amendment establishes a deadline for builders to request a bond release and to complete all requirements for the bond release. The proposed deadline is one year after the Certificate of Occupancy is issued or one year after the permit is issued for permits that do not require a Certificate of Occupancy (e.g. accessory structures such as fences, pools, etc.). For outstanding permits already on file with the Village, the proposed deadline is three years. The amendment further states that if the builder fails to complete the work, the Village has the right to keep the bond to cover expenses from additional inspections and additional time spent monitoring the permit file. When the building fails to request a bond release, Village staff is forced to track the bond and the permit for an extended period of time and additional costs are incurred in the form of staff time monitoring the permit and inspecting the property.

It is our recommendation: that the Ordinance is approved.

C. Amend Chapter 41

Early in 2010, Chief John Madden was notified by our Village Prosecutor, Linda Pieczynski, of the need to amend Chapter 41 (Offenses) of the Municipal Code to incorporate specific language with reference to offenses in Chapter 720 of the Illinois Statutes. Mrs. Pieczynski advised that our current Chapter 41.03 (3) states the following for the violation of certain criminal offenses in Chapter 720 of the Illinois Compiled Statutes.

(3) Knowingly commit any violation of a state statute or Village ordinance concerning vandalism, battery, curfew, disorderly conduct, obscene conduct, trespass, or use of an alcoholic liquor, cannabis, or controlled substances, or any other offense of willful or malicious acts to persons or property.

Our revisions articulate each offense in detail rather than using the “catch all” language in the current Code. One of our Ordinance arrests for cannabis was challenged in early 2010 with negative results due to the current language. It is necessary to incorporate the changes to Chapter 41 for future Ordinance violations.

It is our recommendation: that the Ordinance be approved.

7. RESOLUTIONS

8. CONSIDERATIONS

A. Events Planning Committee Recommendation - 2011 Concert Series

Since its formation in 2007, the Village’s Downtown Burr Ridge Events Planning Committee has successfully produced a variety of events that have been well-received within the community, including a seven-week

summer concert series, classic car show and Jingle Mingle. In FY 2010-2011, the Village budgeted \$25,000 for this program. Donations and car show entry fees in the amount of \$5,650 were received, reducing the net cost to the Village to \$18,850 for a total of nine events. Based on their success, the Downtown Burr Ridge Events Planning Committee has prepared a draft budget for the Board's consideration that once again includes the summer concert series, classic car show and Jingle Mingle. The budget will be presented separately as part of budget discussions.

To keep the cost of the concert series low, most acts are booked through the Suburban Parks and Recreation Association (SPRA), which offers local government agencies reduced pricing for participating entertainers. With the assistance of the Burr Ridge Park District, a member of SPRA, the Committee has been working since November 2010 to identify preferred entertainers that it would like to book for the 2011 summer concert series. In order to retain their services, contracts must be signed as soon as possible or we will lose our preferred acts. At its recent meeting, the Downtown Burr Ridge Events Planning Committee unanimously voted to recommend that the Board of Trustees approve the Committee's recommendation that contracts be awarded at a cost not to exceed \$7,500 for the 2011 summer concert series in accordance with the schedule below, with the understanding that the Committee will continue to pursue event sponsors to offset the Village's expenses. This cost is for entertainment only and does not include advertising and other event expenses.

Date	Band	Genre/Style	Cost
6/10	TBD	Jazz	\$1,000.00
6/17	The Crown Vics	50s Rock & Roll	\$ 0
6/24	Pamela Rose	Country/Western	\$1,000.00
7/1	Lisa Rene Band	Modern Variety	\$ 900.00
7/8	Guitarra Azul	Latin Guitar	\$1,000.00
7/15	Second Time Around	Classic Rock	\$1,000.00
7/22	TBD	Big Band/Swing	\$1,600.00
7/29	Connexion	Modern Variety	\$1,000.00
8/5	TBD	TBD	\$ 0
8/12	TBD	TBD	\$ 0
			\$ 7,500.00

As you can see, the Crown Vics will be performing for free. Their performances were rained out in 2009 and 2010, but the Village honored the contract terms and paid them. As a result, they have offered to donate their services for the 2011 concert series and are scheduled to play the night before the Classic Car Show. Also, there are two concerts scheduled in August at no cost to the Village. We recently learned that the Village Center property management team surveyed its residents and tenants about summer events and found that the concert series was very popular among survey respondents. Also, based on a variety of factors, the Village Center has decided not to host the spring Craft Fest, fall Fine

Art Fair or Holiday Stroll and will instead divert some of its resources to supporting the Village's concert series and Jingle Mingle. The Village Center has generously offered to fund two additional concerts. The Events Planning Committee is in the process of identifying and booking entertainers and will help advertise these events at no additional cost to the Village.

Trustee Wott, Events Committee Chairperson, will make a presentation to the Board regarding the summer concert series and 2011 community event program.

It is our recommendation: that the recommendation of the Downtown Burr Ridge Events Planning Committee to award contracts for entertainers for the 2011 summer concert series at a cost not to exceed \$7,500 be approved.

B. Raffle License (Gower PTO); Hosting Facility License (Gower Middle School)

Enclosed is an application from the Gower PTO to conduct a raffle on Friday, March 4, 2011, as part of their fundraising event, as well as a letter requesting waiver of the fidelity bond requirement. In addition, enclosed is a letter from Gower Middle School, the hosting facility, requesting that a license be issued to allow them to hold this event at their facility.

It is our recommendation: that a Raffle and Chance License be issued to the Gower PTO for its March 4 raffle, with the fidelity bond waived, and that Gower Middle School be licensed to host the event.

C. Reappoint Christopher Cronin to Plan Commission

Mayor Grasso is recommending the reappointment of Christopher Cronin to the Plan Commission for a five-year term that will expire February 1, 2015. Mr. Cronin has been a member of the Plan Commission since February 1, 2000 as its Alternate, moving to full Commissioner in June 2000.

It is our recommendation: that the recommendation to reappoint Christopher Cronin to the Plan Commission be approved.

D. Approval of Vendor List

Enclosed is the Vendor List in the amount of \$450,242.43 for all funds, plus \$389,869.28 for payroll, for a grand total of \$840,111.71. The Vendor List includes the following special amount:

- \$129,414.34 – Harbour Contractors for final payment for Police Facility construction
- \$ 56,186.82 – Vian Construction Co. for payment #2 for the Phase 1 West Babson Park Water Main installation

It is our recommendation: that the Vendor List be approved.